

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

LEXON INSURANCE COMPANY,

Plaintiff,

-against-

JAMES C. JUSTICE II,

Defendant.

Civil Action No. 3:23-cv-00772

Judge Waverly D. Crenshaw, Jr.
Magistrate Judge Barbara D. Holmes

PLAINTIFF LEXON INSURANCE COMPANY'S EXHIBIT LIST

Pursuant to Federal Rule of Civil Procedure 26(a)(3) and the Court's order dated December 26, 2024 (ECF 78), Plaintiff Lexon Insurance Company submits the following exhibit list. Plaintiff reserves the right to introduce into evidence any and all exhibits to rebut or impeach the testimony offered by Defendant, James C. Justice II, or his witnesses. Plaintiff further reserves the right to rely on any of the documents identified on Defendant's exhibit list.

Dated: July 28, 2025

Respectfully submitted,

VINSON & ELKINS LLP

By: /s/ Jason Halper

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 28, 2025, the foregoing document was filed via the Court's ECF system, which will send a notice of electronic filing to all ECF-registered counsel of record listed below:

/s/ W. Brantley Phillips, Jr.

**In the United States District Court
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Lexon Insurance Company v. James C. Justice II

Exhibit No.	Date	Exhibit Name	Beg Bates	End Bates	SJ Exhibit No. (PX/DX)	Offered	Admitted	Obj.
1	3/26/2018	Limited Commercial Guaranty			PX2			
2	3/26/2018	Agreement by and between Lexon, James C. Justice II ("Defendant"), Beech Creek Coal Corporation ("Beech Creek"), and James C. Justice Companies, Inc., Southern Coal Corporation, Kentucky Fuel Corporation, Justice Family Group, LLC, and Mechel Bluestone, Inc. ("Collateral Justice Companies")			PX3			
3	9/20/2018	Email between Kim Marsilio and Jeremy Sentman re James Justice GAI's	LEXON-00003306	LEXON-00003335				
4	9/27/2018	Email between Jay Justice, Clinton Diers, and Kieran Moran re [No Subject]	JUSTICE001467	JUSTICE001467				
5	9/28/2018	Email between Kieran Moran and Brian Beggs re Justice - Next Steps	LEXON-00006508	LEXON-00006509				
6	12/5/2018	Email between Kieran Moran and Brian Beggs, et al re FW Justice Compromise-Sompo 2018	LEXON-00006131	LEXON-00006134				
7	12/18/2018	Email between Jeremy Sentman and Bruce Maas re FW Justice Compromise-Sompo 2018	LEXON-00005897	LEXON-00005905				
8	12/31/2018	Email between Kieran Moran, Brian Beggs, and Jeremy Sentman re FW	LEXON-00002677	LEXON-00002682				
9	1/2/2019	Email between Clinton Diers and Jay Justice, et al re [No Subject]	JUSTICE001763	JUSTICE001764				
10	1/2/2019	Email between Clinton Diers and Jay Justice re KY bond Increases / swap	JUSTICE001765	JUSTICE001766				
11	1/28/2019	Email between Clinton Diers and Jay Justice, et al re Bond approval from Sompo	JUSTICE001943	JUSTICE001944				
12	1/30/2019	Email between Steve Ball, Kieran Moran, and Clinton Diers re Justice/Sompo	JUSTICE001950	JUSTICE001951				
13	1/31/2019	Email between Clinton Diers, Steve Ball, and Jay Justice re Justice/Sompo	JUSTICE001960	JUSTICE001964				
14	1/31/2019	Email between Kieran Moran, Brian Beggs, and Jeremy Sentman re FW Justice/Sompo	LEXON-00003105	LEXON-00003108				
15	1/31/2019	Email between Steve Ball, Clinton Diers, and Jay Justice re Justice/Sompo	JUSTICE007416	JUSTICE007418				
16	2/4/2019	Amended & Restated Limited Commercial Guaranty			PX1			

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17	2/4/2019	Amendment No. 1 to Agreement Dated March 26, 2018 by and between Lexon, Defendant, Beech Creek, and the Collateral Justice Companies			PX4			
18	2/4/2019	Email between Clinton Diers and Jay Justice, et al with a prior email in the same chain and attachments	JUSTICE001987	JUSTICE002010	DX 29			
19	1/6/2020	Email between Clinton Diers and Jay Justice re Monday Meeting	JUSTICE002709	JUSTICE002712				
20	1/10/2020	Email between Clinton Diers, Jay Justice, Steve Ball, and Patricia Lewis re FW Justice	JUSTICE002731	JUSTICE002732				
21	1/15/2020	Email between Jay Justice and Clinton Diers, et al, with an attachment.	JUSTICE002743	JUSTICE002752	DX8			
22	1/30/2020	Amended Surety Side Letter Agreements executed by and between Lexon, Defendant, Beech Creek, and the Collateral Justice Companies			PX5			
23	1/30/2020	Email between Jeremy Sentman and Jay Justice, et al, with a prior email in the same chain and an attachment	JUSTICE002788	JUSTICE002792	DX 31			
24	3/25/2020	Email between Clinton Diers and Jay Justice re FW Proposal	JUSTICE003008	JUSTICE003011				
25	3/30/2020	Email between Brian Beggs and Jay Justice, et al re Proposal	JUSTICE003017	JUSTICE003020	DX3			
26	3/30/2020	Amended Surety Side Letter Agreements executed by and between Lexon, Defendant, Beach Creek, and the Collateral Justice Companies			PX5			
27	6/25/2020	Email between Brian Beggs and Jay Justice, et al, with a prior email in the same chain	JUSTICE003135	JUSTICE003136	DX4			
28	9/25/2020	Notice of Default & Demand for Payment			PX6			
29	9/25/2020	Email between Jay Justice and Brian Beggs, et al, with prior emails in the same chain	JUSTICE003188	JUSTICE003190	DX27			

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Exhibit No.	Date	Exhibit Name	Beg Bates	End Bates	SJ Exhibit No. (PX/DX)	Offered	Admitted	Obj.
30	10/8/2020	Email between Stephen W. Ball and Clint Diers, et al, with an attachment.	JUSTICE000113	JUSTICE000115	PX18			
31	10/8/2020	Email between Stephen Ball and Clinton Diers, et al, with an attachment	JUSTICE003224	JUSTICE003226	DX10			
32	10/12/2020	Notice of Default & Demand for Payment			PX7			
33	10/12/2020	Email between Jeremy Sentman and Jay Justice, et al, with attachments	JUSTICE003227	JUSTICE003231	DX11			
34	12/31/2020	Letter from James C. Justice III to Lexon	JUSTICE003319	JUSTICE003321	PX19			
35	3/15/2021	Email between P. Hennesy, B. Beggs, and M. Olsen, et al, re Justice-Pre-Meeting Notes	LEXON-00005284	LEXON-00005284				
36	7/27/2021	Email between Jay Justice, Bill Smikiss, and Brian Block re Update	JUSTICE008861	JUSTICE008862				
37	8/19/2021	Email between P. Hennesy and Bill Simkiss re Beech Creek # bond #1064538	LEXON-00001498	LEXON-00001641				
38	8/26/2021	Email between P. Hennesy and Bill Simkiss, copying B. Beggs, et al re Justice Meeting Update	LEXON-00001642	LEXON-00001646				
39	9/28/2021	Email between Stephen Ball and Pat Hennesy, et al, with prior emails in the same chain and an attachment.	JUSTICE003956	JUSTICE003962	DX19			
40	9/28/2021	Letter to Sompo memorializing "recent meeting in Chicago."	JUSTICE000214	JUSTICE000220				
41	10/26/2021	Email between Jay Justice and Pat Hennesy, et al	JUSTICE004028	JUSTICE004035				
42	10/26/2021	Email between B. Beggs and P. Hennesy re call with Justice	LEXON-00003993	LEXON-00003994				
43	12/6/2021	Email between Jay Justice and Pat Hennesy re Justice/Sompo	JUSTICE004211	JUSTICE004220				

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44	12/6/2021	Emails between Justice and Sompso	LEXON-00003931	LEXON-00003938	DX18 (LEXON-0003938)			
45	12/20/2021	Email between Pat Hannesy and Jay Justice, et al, re Justice/Sompso	JUSTICE004269	JUSTICE004279				
46	12/28/2022	Email between Jay Justice and Clinton Diers, with several other emails in the chain	LEXON-00002073	LEXON-00002076				
47	5/24/2023	Email between D. Bugg and J. Sentman, et al, attaching Collateral Tracking Spreadsheet	LEXON-00001947	LEXON-00001952	PX12			
48	7/24/2023	July Notice of Default & Demand for Payment			PX8			
49	7/27/2023	Email between Stephen Ball and Matt Curran, et al, with an attachment	JUSTICE006464	JUSTICE006467	DX26			
50	4/10/2024	Deposition testimony of Stephen W. Ball						
51	4/23/2024	Amended Answer of James Justice II			PX10			
52	4/25/2024	Deposition testimony of Jeremy Sentman						
53	4/26/2024	Deposition testimony of James "Jay" C. Justice, II						
54	4/26/2024	Deposition testimony of Patrick Hennesy						
55	4/26/2024	Deposition testimony of James C. Justice, III						
56	4/30/2024	Deposition testimony of Brian Beggs						
57	7/28/2024	Complaint, Lexon Insurance Company v. James C. Justice II						
58	6/30/2025	Premium Tracking Spreadsheet 2016-2025	LEXON-00008628	LEXON-00008628				
59	6/30/2025	Premium Tracking Spreadsheet 2019-2025	LEXON-00008629	LEXON-00008629				